

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Amiram STEINBERG

Serial No.: 08/842,680

Filed: April 15, 1997

For: BONE GROWTH PROMOTING
IMPLANT



) Art Unit: 3738

) Examiner: D.J. Isabella

) Washington, D.C.

) October 24, 2002

) Docket No.: A7617

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

☒ 1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed:

(Check one of the boxes A-D)

☐ A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

☐ B. before the mailing date of a first office action on the merits.

☒ C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "I" below) or paid the necessary fee (box "ii" below).

(check one of the boxes "i" and "ii" below:)

☐ i. Counsel certifies that, upon information and belief, each item of information listed herein was either (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

☒ ii. A check for the fee set forth in 1.17(p), presently believed to be \$240, is enclosed (check no. _____).

☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. A check for the fee set forth in §1.17(i), presently believed to be \$130 is enclosed (check no. _____). Counsel certifies that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

☐ 2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A and/or B and fill in blanks, if appropriate.)

☐ A. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.

☐ B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

[insert serial numbers and filing dates of prior applications]

Applicant identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 from the files of the prior application(s) or a fresh PTO-1449 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

☒ 3. Document German Patent No.: DE 2,247,721 is not in the English language. In accordance with 1.98(c), Applicant states:

☒ An English translation of each document German Patent No.: DE 2,247,721 (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

☐ A concise explanation of the relevance of document(s) _____ is found in the attached search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

☐ A concise explanation of the relevance of document(s) _____ is set forth as follows:
[Insert concise explanation of relevance]

☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.

☐ A concise explanation of document(s) _____ can be found on the attached sheet.

4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

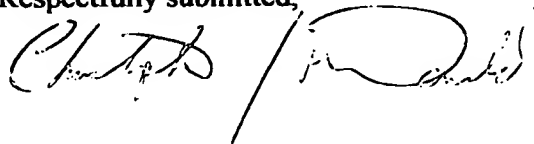
☐ 5. Other information being provided for the examiner's consideration follows:

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

CROSS REFERENCE UNDER 37 C.F.R. §1.78 TO RELATED APPLICATIONS

Pursuant to 37 C.F.R. § 1.78, Applicant notes that the above-identified patent application may be related to the following U.S. Patent Applications:

Respectfully submitted,

A handwritten signature in black ink, appearing to be "C. T. H. / [unclear]", written over a horizontal line.

FORM PTO-1449 (Colb)	ATTY DOCKET NO. A-7617	SERIAL NUMBER 08/842,680
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS' INFORMATION STATEMENT	APPLICANT Amiram STEINBERG	EXAMINER D.J. Isabella
	FILING DATE April 15, 1997	GROUP ART UNIT 3738



U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
/DI/	AA	5,201,881	4/1993	Evans			
/DI/	AB	5,011,497	4/1991	Persson, et al.			
/DI/	AC	4,279,041	7/1981	Bucholz			
/DI/	AD	5,080,675	1/1992	Lawes, et al.			
/DI/	AE	4,650,491	3/1987	Parchinski			
/DI/	AF	3,938,198	2/1976	Kahn, et al.			
/DI/	AG	4,292,695	10/1981	Koeneman			
/DI/	AH	4,624,674	11/1986	Pappas, et al.			
/DI/	AI	2,765,787	10/1956	Pellet			
/DI/	AJ	4,735,625	5/1988	Davidson			
/DI/	AK	5,370,699	12/1994	Hood, et al.			
/DI/	AL	5,641,323	6/1997	Caldarise			

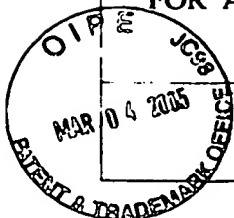
FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANS- LATION
/DI/	AM	DE 2,247,721	4/1974	Germany			

OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

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Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
/DI/	AA	5,323,765	6/1994	Brown			
/DI/	AB	5,658,345	8/1997	Willi			
/DI/	AC	3,875,594	4/1975	Swanson			
/DI/	AD	3,938,198	2/1976	Kahn, et al.			
/DI/	AE	4,292,695	10/1981	Koeneman			
/DI/	AF	4,344,193	8/1982	Kenny			
/DI/	AG	4,570,270	2/1986	Oechsle, III			
/DI/	AH	4,650,491	3/1987	Parchinski			
/DI/	AI	4,279,041	7/1981	Buchholz			
/DI/	AJ	4,661,112	4/1987	Muller			
/DI/	AK	4,662,889	5/1987	Zichner, et al.			
/DI/	AL	4,664,668	5/1987	Beck, et al.			

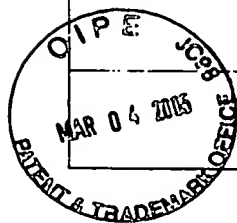
FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANS- LATION
/DI/	AM	EP 0 308 081	3/1989	Europe			

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Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
/DI/	AA	4,715,859	12/1987	Schelhas, et al.			
/DI/	AB	4,795,470	1/1989	Goymann, et al.			
/DI/	AC	4,795,474	1/1989	Horvath			
/DI/	AD	4,808,186	2/1989	Smith			
/DI/	AE	4,813,962	3/1989	Deckner, et al.			
/DI/	AF	4,822,365	4/1989	Walker, et al.			
/DI/	AG	4,888,020	12/1989	Horber			
/DI/	AH	4,904,269	2/1990	Elloy, et al.			
/DI/	AI	4,908,035	3/1990	Deckner, et al.			
/DI/	AJ	4,919,674	4/1990	Schelhas			
/DI/	AK	4,919,678	4/1990	Kranz			
/DI/	AL	4,936,856	6/1990	Kelier			

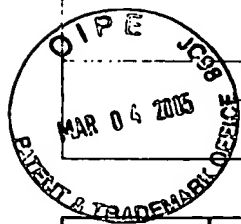
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		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANS- LATION
/DI/	AM	GB 2 126 096	3/1984	Great Britain			

OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

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/DI/	AA	4,938,771	7/1990	Vecsei, et al.			
/DI/	AB	4,938,773	7/1990	Strand			
/DI/	AC	4,950,298	8/1990	Gustilo, et al.			
/DI/	AD	4,955,912	9/1990	Berchem			
/DI/	AE	4,955,919	9/1990	Pappas, et al.			
/DI/	AF	4,963,153	10/1990	Noesberger, et al.			
/DI/	AG	4,963,154	10/1990	Anapliotis, et al.			
/DI/	AH	4,997,447	3/1991	Shelley			
/DI/	AI	5,002,581	3/1991	Paxson, et al.			
/DI/	AJ	5,019,107	5/1991	Schelhas			
/DI/	AK	5,041,140	8/1991	Teinturier			
/DI/	AL	5,049,393	9/1991	Neon, et al.			

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/DI/	AM	GB 2 069 338	8/1981	Great Britain			

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/DI/	AA	5,080,677	1/1992	Shelley			
/DI/	AB	5,108,446	4/1992	Wagner, et al.			
/DI/	AC	5,108,451	4/1992	Forte			
/DI/	AD	5,116,374	5/1992	Stone			
/DI/	AE	5,133,763	7/1992	Mullers			
/DI/	AF	5,146,933	9/1992	Boyd			
/DI/	AG	5,147,406	9/1992	Houston, et al.			
/DI/	AH	5,151,521	9/1992	Morita, et al.			
/DI/	AI	5,156,631	10/1992	Meriette			
/DI/	AJ	5,171,276	12/1992	Casparia, et al.			
/DI/	AK	5,181,925	1/1993	Houston			
/DI/	AL	5,197,987	3/1993	Koch, et al.			

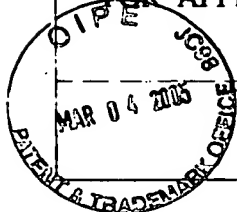
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/DI/	AM	EP 0 190 446	12/1985	Europe			

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/DI/	AA	5,197,989	3/1993	Hinckfuss, et al.			
/DI/	AB	5,201,881	4/1993	Evans			
/DI/	AC	5,201,882	4/1993	Paxson			
/DI/	AD	5,217,498	6/1993	Henssge, et al.			
/DI/	AE	5,217,499	6/1993	Shelley			
/DI/	AF	5,222,985	6/1993	Homsy			
/DI/	AG	5,282,868	2/1994	Bahler			
/DI/	AH	5,290,314	3/1994	Koch, et al.			
/DI/	AI	5,314,478	5/1994	Oka, et al.			
/DI/	AJ	5,314,494	5/1994	Huiskes, et al.			
/DI/	AK	5,316,550	5/1994	Forte			
/DI/	Al.	5,326,376	7/1994	Warner, et al.			

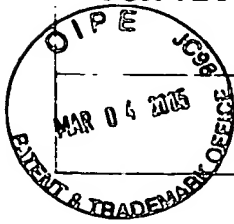
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/DI/	AM	EP 0 066 092	4/1982	Europe			

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/DI/	AA	5,330,534	7/1994	Herrington, et al.			
/DI/	AB	5,314,493	5/1994	Mikhail			
/DI/	AC	5,336,268	8/1994	Rispeter			
/DI/	AD	5,344,459	9/1994	Swartz			
/DI/	AE	5,358,525	10/1994	Fox, et al.			
/DI/	AF	5,370,699	12/1994	Hood, et al.			
/DI/	AG	5,376,064	12/1994	Cerny			
/DI/	AH	5,376,125	12/1994	Winkler			
/DI/	AI	5,387,244	2/1995	Breard			
/DI/	AJ	5,389,107	2/1995	Nassar, et al.			
/DI/	AK	5,405,403	4/1995	Mikhail			
/DI/	AL	5,405,411	4/1995	McCoy			

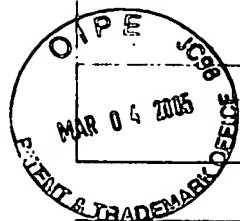
FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANS- LATION
/DI/	AM	EP 0 329 019	2/1989	Europe			

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/DI/	AA	5,415,662	5/1995	Ferrante, et al.			
/DI/	AB	5,425,779	6/1995	Schlosser, et al.			
/DI/	AC	5,448,489	9/1995	Reuben			
/DI/	AD	5,458,643	10/1995	Oka, et al.			
/DI/	AE	5,458,651	10/1995	Lawes			
/DI/	AF	5,489,311	2/1996	Cipolletti			
/DI/	AG	5,491,882	2/1996	Walston, et al.			
/DI/	AH	5,507,814	4/1996	Gilbert, et al.			
/DI/	AI	5,507,818	4/1996	McLaughlin			
/DI/	AJ	5,507,820	4/1996	Pappas			
/DI/	AK	5,507,823	4/1996	Walston, et al.			
/DI/	AL	5,507,830	4/1996	DeMane, et al.			

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		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANS- LATION
/DI/	AM	EP 0 253 941	7/1986	Europe			

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/DI/	AA	5,507,833	4/1996	Bohn			
/DI/	AB	5,507,836	4/1996	Pohlig			
/DI/	AC	5,514,182	5/1996	Shea			
/DI/	AD	5,514,184	5/1996	Doi, et al.			
/DI/	AE	5,522,904	6/1996	Moran, et al.			
/DI/	AF	5,507,835	4/1996	Jore			
/DI/	AG	5,246,461	9/1993	Tepic			
/DI/	AH	5,364,839	11/1994	Gerhart, et al.			
/DI/	AI	5,376,120	12/1994	Sarver, et al.			
/DI/	AJ	5,393,739	2/1995	Bentz, et al.			
/DI/	AK	5,480,449	1/1996	Hamilton, et al.			
/DI/	Al	5,510,418	4/1996	Rhee, et al.			

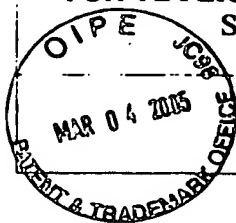
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/DI/	AA	5,522,894	6/1996	Draenert			
/DI/	AB	4,892,551	1/1990	Haber			
/DI/	AC	5,660,225	8/1997	Saffran			
/DI/	AD	4,089,071	5/1978	Kalnberz, et al.			
/DI/	AE	5,281,226	1/1994	Davydov, et al.			
/DI/	AF	5,443,383	8/1995	Kirsch			
/DI/	AG	5,480,437	1/1996	Draenert			
/DI/	AH	5,032,134	7/1991	Lindwer			
/DI/	AI	4,997,444	3/1991	Farling			
/DI/	AJ	5,002,579	3/1991	Copf, et al.			
/DI/	AK	5,443,512	8/1995	Parr, et al.			
/DI/	AL	5,133,752	7/1992	Branemark			

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/DI/	AA	5,080,678	1/1992	Sportorno, et al.			
/DI/	AB	5,944,759	8/1999	Link			
/DI/	AC	5,944,758	8/1999	Mansat, et al.			
/DI/	AD	5,944,757	8/1999	Grammont			
/DI/	AE	5,944,756	8/1999	Fischetti, et al.			
/DI/	AF	5,938,702	8/1999	Lopez, et al.			
/DI/	AG	5,935,174	8/1999	Dye			
/DI/	AH	5,935,175	8/1999	Ostiguy, Jr. et al.			
/DI/	AI	5,935,173	8/1999	Roger, et al.			
/DI/	AJ	5,935,172	8/1999	Ochoa, et al.			
/DI/	AK	5,935,171	8/1999	Schneider, et al.			
/DI/	AL	5,935,171	8/1999	Baur, et al.			

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LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS' INFORMATION STATEMENT	APPLICANT Amiram STEINBERG	EXAMINER D.J. Isabella
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/DI/	AA	5,931,870	8/1999	Cuckler, et al.			
/DI/	AB	5,928,289	9/1999	Deckner			
/DI/	AC	5,928,288	9/1999	Wilson			
/DI/	AD	5,928,287	9/1999	Keller			
/DI/	AE	5,928,286	9/1999	Ashby, et al.			
/DI/	AF	5,928,285	9/1999	Bigliani, et al.			
/DI/	AG	5,919,236	7/1999	Pfaff, et al.			
/DI/	AH	5,916,270	6/1999	Lipman			
/DI/	AI	5,916,269	6/1999	Serbousek, et al.			
/DI/	AJ	5,916,268	6/1999	Schollner, et al.			
/DI/	AK	5,913,858	6/1999	Calandruccio et al.			
/DI/	AL	5,911,759	6/1999	Rogala			

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/DI/	AA	5,911,758	6/1999	Ochy, et al.			
/DI/	AB	5,910,172	6/1999	Penenberg			
/DI/	AC	5,910,171	6/1999	Kummer, et al.			
/DI/	AD	5,906,644	5/1999	Powell			
/DI/	AE	5,906,643	5/1999	Walker			
/DI/	AF	5,906,210	5/1999	Herbert			
/DI/	AG	5,904,720	5/1999	Farrar, et al.			
/DI/	AH	5,904,688	5/1999	Gilbert, et al.			
/DI/	AI	5,902,340	5/1999	White, et al.			
/DI/	AJ	5,882,206	3/1999	Gillio			
/DI/	AK	5,888,204	3/1999	Ralph, et al.			
/DI/	AL	5,879,407	3/1999	Waggoner			

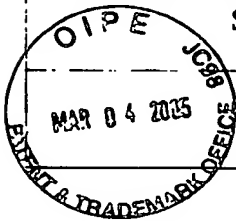
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/DI/	AA	5,879,405	3/1999	Ries, et al.			
/DI/	AB	5,879,404	3/1999	Bateman, et al.			
/DI/	AC	5,879,402	3/1999	Lawes, et al.			
/DI/	AD	5,879,401	3/1999	Besemer, et al.			
/DI/	AE	5,879,398	3/1999	Swarts, et al.			
/DI/	AF	5,879,397	3/1999	Kalberer, et al.			
/DI/	AG	5,879,396	3/1999	Waltson, et al.			
/DI/	AH	5,879,395	3/1999	Tornier, et al.			
/DI/	AI	5,879,393	3/1999	Whiteside, et al.			
/DI/	AJ	5,879,392	3/1999	McMinn			
/DI/	AK	5,879,390	3/1999	Kubein, et al.			
/DI/	AL	5,879,387	3/1999	Joners, et al.			

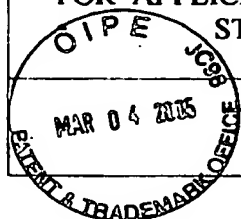
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/DI/	AB	5,871,547	2/1999	Abouaf, et al.			
/DI/	AC	5,824,108	10/1998	Huebner			
/DI/	AD	5,824,107	10/1998	Tschirren			
/DI/	AE	5,824,103	10/1998	Williams			
/DI/	AF	5,824,102	10/1998	Buscayret			
/DI/	AG	5,824,101	10/1998	Pappas			
/DI/	AH	5,824,098	10/1998	Stein			
/DI/	AI	5,800,560	9/1998	Draenert			
/DI/	AJ	5,800,558	9/1998	LaHaise, Sr.			
/DI/	AK	5,800,557	9/1998	Elhami			
/DI/	AL	5,800,555	9/1998	Gray, III			

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/DI/	AA	5,800,554	9/1998	Scholz			
/DI/	AB	5,800,553	9/1998	Albrektsson et al.			
/DI/	AC	5,788,704	8/1998	Timperley			
/DI/	AD	5,782,928	7/1998	Ries, et al.			
/DI/	AE	5,782,925	7/1998	Collazo, et al.			
/DI/	AF	5,776,202	7/1998	Copf, et al.			
/DI/	AG	5,766,260	7/1998	Whiteside			
/DI/	AH	5,766,257	7/1998	Goodman, et al.			
/DI/	AI	5,755,811	5/1998	Tanamal, et al.			
/DI/	AJ	5,755,810	5/1998	Cunningham			
/DI/	AK	5,755,804	5/1998	Schmotzer, et al.			
/DI/	AL	5,755,801	5/1998	Walker, et al.			

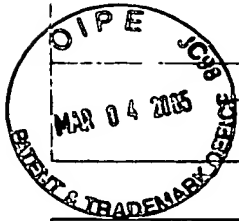
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/DI/	AA	5,755,799	5/1998	Oehy, et al.			
/DI/	AB	5,743,918	4/1998	Calandruccio et al			
/DI/	AC	5,910,172	6/1999	Penenberg			
/DI/	AD	5,211,666	5/1993	Feto			
/DI/	AE	5,507,832	4/1996	Michielli, et al.			
/DI/	AF	4,433,440	2/1984	Cohen			
/DI/	AG	5,397,359	3/1995	Mittelmeier, et al			
/DI/	AH	5,507,834	4/1996	Laghi			
/DI/	AI	5,314,492	5/1994	Hamilton, et al.			
/DI/	AJ	5,405,394	4/1995	Davidson			
/DI/	AK	5,316,550	5/1994	Forte			
/DI/	AL	5,314,494	5/1994	Huiskes, et al.			

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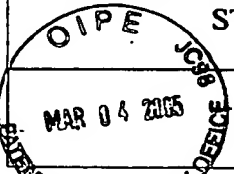
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/DI/	AA	5,413,610	5/1995	Amino, et al.			
/DI/	AB	5,507,835	4/1996	Jore			
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/DI/	AF	5,376,123	12/1994	Klaue, et al.			
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/DI/	AK	3,600,718					
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/DI/	AA	5,507,817	4/1996	Craig, et al.			
/DI/	AB	5,181,929	1/1993	Prats, et al.			
/DI/	AC	5,507,829	4/1996	Thongpreda, et al.			
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	AE						
	AF						
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